

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
vs.)	CRIMINAL NO. 05-00105-002-CG
)	
DEMETRIUS LASHUN RICHARDSON,)	
)	
Defendant.)	

ORDER

This matter is before the court on defendant's motion for reduction of sentence pursuant to the provisions of 18 USC 3582(c)(2). (Docs. 122, 123). Defendant claims that his sentence is eligible for reduction because of the retroactive application of the amended crack cocaine guideline. The offenses to which he pleaded guilty were conspiracy to distribute powder cocaine, Count One, and Conspiracy to Launder Money, Count Three. The defendant is not eligible for reduction of his sentence under the amended guideline because his guideline range was calculated based on powder cocaine, not crack cocaine. (See paragraph 39 of the Presentence Investigation Report, Doc. 89).

Accordingly, the motion for reduction of sentence pursuant to 18 USC 3582(c)(2) is **DENIED.**

DONE and ORDERED this 6th day of March, 2008.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE